

UTAH & DAWSON CASE

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ADMINISTRATION PROBLEMS

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# Abraham Lincoln's Administrative Problems

## Utah & the Dawson Case

Excerpts from newspapers and other sources

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# Lincoln Lore

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Number 1644

## PRESIDENT LINCOLN, POLYGAMY, AND THE CIVIL WAR: THE CASE OF DAWSON AND DESERET

The first national platform of the Republican party forthrightly declared its opposition to the "twin relics of barbarism, polygamy, and slavery." Since the writing of that platform in Philadelphia in 1856, most historians of America's middle period have concentrated their attention on the Republicans' attack on the institution of slavery. This *Lincoln Lore* and the following one, however, will focus on that other object of Republican detestation, polygamy, and in particular on a man whose life was profoundly changed by an encounter with that institution, John W. Dawson.

John W. Dawson was President Abraham Lincoln's first appointee to the governorship of the Utah Territory. He received his appointment in the autumn of 1861, proceeded to Utah to assume his duties in December of the same year, and left Utah in the middle of January, 1862. His administration of the Territory, which was the home of the Mormons, was a brief one, but it was filled with controversy and not a little mystery.

### Dawson's Background and Qualifications

Before he became a Lincoln appointee, Dawson had led a varied career as a lawyer, journalist, and politician in Indiana. Born in Cambridge, Indiana, in 1820, Dawson was the son of a Southerner, John Dawson, who had lived in Maryland, Virginia, Tennessee, and Kentucky before settling in Indiana in 1799. According to the biographical sketch in *A Biographical History of Eminent and Self-made Men of the State of Indiana*, Volume II (Cincinnati: Western Biographical Publishing Company, 1880), John W. Dawson's grandfather Charles had been a slaveholder. The family's traditional ties with the South and the peculiar institution may explain John W. Dawson's hatred of abolitionism. Lincoln's appointee received his early education in the common schools of Cambridge. He moved to Fort Wayne briefly and then attended Wabash College at Crawfordsville for two years. He studied law, gained admission to the bar, and returned to Fort Wayne to practice. Apparently

he found some deficiency in his legal training by apprenticeship, for in 1847 he went to Lexington, Kentucky, to study law at Transylvania University. Failing health forced him to leave, though he may have completed his course of study. He returned to his home in Cambridge to farm and run a store until 1853, when he returned to Fort Wayne to purchase and edit what had been the Whig newspaper, the *Times and Press*.

Under Dawson's editorship the paper moved from party to party. Richard L. May's pamphlet entitled *Notes on Formation of the Republican Party in Fort Wayne, Indiana, 1852-1858* (Fort Wayne: Fort Wayne Public Library, 1967) traces the puzzling and twisted course of Dawson's editorial partisanship. Dawson's advent to the editorship of the Whig paper marked a sharp turn-around in editorial stance towards Fort Wayne's sizable population of foreign and Catholic voters. Historically, both the Whig and Democratic papers in this polyglot Indiana town of Germans, Irish, and native Americans had published sympathetic articles about the liberal

Pope and appeals for funds for starving Ireland. So abrupt was Dawson's change, in fact, that his first anti-Catholic item, an assault on their stance towards the public school question in December, 1853, led to several cancellations of subscriptions and to an actual physical assault on Dawson's person. Although nothing conclusive can be determined about actual party membership, Dawson's paper was very sympathetic towards Know-Nothing principles.

Dawson denounced the Kansas-Nebraska Act in 1854 and ran in the same year as a candidate for the state legislature on a "People's" party ticket composed of Know-Nothings, temperance advocates, and anti-Nebraska men. Dawson lost, and in 1855 he joined the Republicans. By 1858, however, he was read out of the Republican party (which, according to May, denounced him as "a know-nothing editor" because the party was trying to attract German voters) and ran for Congress as a Democrat. In



From the Lincoln National Life Foundation

FIGURE 1. John W. Dawson (from a drawing in B.J. Griswold's *Pictorial History of Fort Wayne, Indiana* [Chicago, 1917])

1860, however, Dawson's paper supported Lincoln's Republican ticket. Though one would be hard pressed to produce tangible proof of a "deal" to provide Fort Wayne with a Republican organ, Dawson's recent Democratic affiliations at least suggest that his eligibility for the Utah post would have been nil had he not hopped aboard the Lincoln bandwagon in 1860.

Dawson's political "qualifications" for the job exceeded any other obvious personal qualifications for the office. He had put the rickety Fort Wayne weekly Whig newspaper into sound financial shape (sound enough, in fact, that he initiated publication of a daily paper which was shorter and published over the course of the week the same articles which appeared in the weekly version at the end of the week). Otherwise, he had no notable administrative accomplishments to his credit. He was not moderate on religious questions nor careful of religious sensibilities, qualifications that might well have been sought in the governor of a territory populated largely by Mormons, who so resented, ignored, and resisted federal authority that an armed expeditionary force had been sent by President Buchanan in 1857 to calm the area. Dawson's Democratic editorial counterpart in Fort Wayne, Thomas Tigar, said Dawson was "distinguished for billingsgate [i.e., billingsgate], slang, blackguardism, and unblushing falsehood." Tigar was hardly an impartial judge, but surely some of the editorial copy of Dawson's *Know-Nothing* years came close to Tigar's description. Dawson carefully selected sensational articles about a cemetery's desecration by Irishmen, a Catholic priest accused of theft, and riots between Protestants and Catholics in Philadelphia for republication on the first page of his Fort Wayne newspaper. He regularly accused Democrats of being drunkards and of colonizing Irish voters at election time. Tigar's defense of Fort Wayne's foreign citizens, said Dawson, stemmed from his "passion for Dutch [i.e., German] girls, lager beer, saur kraut [*sic*] and sausages" and his illegitimate child by Kate Vantassel.

Historians sympathetic to the Mormons like to discredit Dawson (for reasons which will be explored shortly), but none seems to have attempted to find and read Dawson's newspaper in this effort. Therefore, they have relied more on rumor than on research. William A. Linn's *Story of the Mormons* (New York, 1902) cited the following charge, which was repeated by Harry J. Carman and Reinhard H. Luthin in *Lincoln and the Patronage* (Morningside Heights: Columbia University Press, 1943):

He was the editor and publisher of a party newspaper at Fort Wayne, Indiana, a man of bad morals, and a meddler in politics, who gave the Republican managers in his state a great deal of trouble. The undoubted fact seems to be that he was sent out to Utah on the recommendation of Indiana politicians of high rank, who wanted to get rid of him, and who gave no attention whatever to the requirements of his office.

It is true that Dawson had proved to be too much of an embarrassment to the Republicans in 1858 even to be allowed to remain a party member, but without more direct evidence on the reasons for Dawson's selection (perhaps by Caleb Blood Smith, the Hoosier representative in Lincoln's cabinet and Secretary of the Interior, the department concerned with territorial affairs), the evidence is moot. It is one thing to "promote" a powerful office-holder out of the state; it is quite another to "promote" a newspaper editor and publisher out of the state. The latter course leaves the administration with no party organ in a two-paper town like Fort Wayne. To be sure, Dawson retained ownership, and the paper's managers in his absence seem to have been of a like mind in political matters. Nevertheless, the eventual defection of Dawson's newspaper to the Democratic column meant that the Republicans had to send a new editor into Fort Wayne and establish a new paper. Such, at least, would seem to be the conclusion warranted by the *Fort Wayne Gazette's* date of founding, 1862 (see B. J. Griswold's *Pictorial History of Fort Wayne, Indiana* [Chicago: Robert O. Law, 1917]), and by its later political complexion (see the footnotes in Winfred A. Harbison, "Indiana Republicans and the Re-election of President Lincoln" [*Indiana Magazine of History*, XXXIV (March, 1938)]). Did Caleb Smith kick Dawson out of the state just after Dawson provided the only support for Lincoln in a Democratic town

and only to have to ship in another editor from another county to set up an organ of Republican principles? Carman, Luthin, and Linn have offered no conclusive proof.

#### The Governor's Message

Dawson did have at least one notable qualification for his job as the representative of federal authority in a territory that wanted to be left alone: he could trim his political principles to meet the beliefs and desires of his constituents. This he did in very short order. Arriving in Utah on the night of Saturday, December 6, 1861, Dawson learned that the territorial legislature would convene on Tuesday, December 10, and that he would have to deliver a message to the group. He had little time to prepare it and no time to familiarize himself with the local institutions and political developments. Dawson decided, therefore, to deliver an address on the general history of the sectional conflict leading to the Civil War, urging the Territory to remain loyal and largely ignoring specific recommendations on local policies.

Governor Dawson's message, given the limitations of time and circumstance, was a skillful production. He proudly mailed President Lincoln one of the thousand copies of the message which were printed, and he noted, accurately, that it had been well received locally. The Mormon political organ, *The Deseret News*, did review the message favorably on December 18, 1861, saying, "There are a few things alluded to in the message which a majority of the people may not be expected to cordially indorse [*sic*], but the greater portions thereof, including the historical reminiscences . . . will unquestionably receive the unqualified approval of all."

To get his favorable reception, Dawson had to reverse his political field and even add a comment on a rather sensitive issue to the Republican party and Lincoln's administration. Basically, he tried to sound as though he were a Douglas Democrat in principle by rewriting American history to fit an anti-Republican myth. The major device was to make American history a series of compromises, beginning with the



From the Lincoln National Life Foundation  
FIGURE 2. Caleb Blood Smith

Constitution itself, which "was based on compromise." The Founding Fathers, said Dawson, "did not urge differences of opinion or conflicting interests to their logical results; they conceded—they yielded—they compromised." Other important dates in Dawson's review of American history were 1820 (the Missouri Compromise) and 1850. Of the Compromise of 1850, he said, "It seemed to buy back and settle the administration of the government, upon the principle of compromise by which the Constitution itself was formed."

The political canniness of Dawson's seemingly trite review of American history can be seen in his emphasis on the Compromise of 1850 as an event that got the country back to the principles of its Founding Fathers. "The Compromise of 1850," said Dawson, "was of vital moment to you, if I may say so, the peculiar people of Utah, for it embraced a principle upon which you seized as a protection to you in your right of conscience . . ." That principle was popular sovereignty, embodied in the provision of the Compromise which organized the territorial governments of New Mexico and Utah without any prohibition of slavery. The idea that the territories could determine their own local institutions without Congressional interference was dear to the Mormons, who knew that few people in the rest of the United States approved of their practice of polygamy.

There were two problems in Dawson's accommodating embrace of the principle of popular sovereignty in the territories. First, he was the appointee of an administration which had risen to power by repudiating the principle of popular sovereignty and by urging that Congress should forbid the presence of slavery in the territories which it clearly had the constitutional grant of power to rule. Second, Dawson himself had criticized Stephen Douglas's Kansas-Nebraska Act, which had applied the principle of popular sovereignty to other territories. Dawson had a public record of opposition to popular sovereignty, and he held his power through Abraham Lincoln, a man who had built his meteoric rise to national political success on denouncing Stephen Douglas's popular sovereignty as a morally obtuse policy.

Dawson's artful solution was, first, to reverse his own field and, second, to suggest that Lincoln's Republican party had been doing the same thing once it attained political office. The first, Dawson accomplished in a skillful passage in which he gracefully acknowledged that he had been overruled by the sweep of America's compromising history: "I need not say that I was among the opponents of the abrogation [of the Missouri Compromise by the Kansas-Nebraska Act] . . . because the parties to the compromise could not be remitted to their former status; but as the true relation of the great principle of popular right as embodied in the Kansas and Nebraska act, to the subject of slavery, was developed, the opposition thereto lost force, and the people virtually endorsed the measure by the election of Mr. Buchanan in 1856." The second reversal, Dawson accomplished by reminding the Republicans and Lincoln that they had, since gaining office, organized the territories of Nevada, Colorado, and Dakota on the principle of congressional "non-intervention," that is, without demanding that the territories exclude slavery from their borders. Thus the speech which Dawson proudly forwarded to Lincoln contained a pointed jab at his boss, and Dawson's covering letter with the speech contained some nuggets of advice along the same lines from the Utah governor. Dawson mailed the letter just four days after he delivered the speech (probably as soon as the message had been printed), and he concluded thus:

I regret to read Secretary Cameron's speech at the Prentice Dinner in your city of Washington—its sentiment is wrong cruel & totally at war with the ideal of maintaining the Union—and I am highly gratified to know that your dissent therefrom is in consonance with the remark of Secretary Smith of the Interior.

You have much to fear from the Spirit of Abolitionism—which you met in modifying Major General Fremont's Proclamation—and in justly removing him . . .

The events to which Dawson referred included one of the quarrelsome gatherings at the home of newspaper editor John W. Forney, who described the event to which Dawson referred this way (in *Anecdotes of Public Men* [New York: Harper & Brothers, 1873]):



From the Lincoln National Life Foundation  
**FIGURE 3. Utah during the Civil War (from Colton's *Atlas of the Union* [New York, 1864])**

Another night, when nearly all the Cabinet were public Men [New York: Harper & Brothers, 1873]:

Another night, when nearly all the Cabinet were present, General Cameron, Secretary of War, startled the proprieties by taking bold ground in favor of arming the negroes. He was immediately answered by Hon. Caleb N [sic] Smith, Secretary of the Interior, and the controversy became exceedingly animated, enlisting all the company, silencing the music, and creating a deal of consternation.

The other event was General John C. Fremont's proclamation in Missouri (freeing the slaves of the disloyal) which President Lincoln overruled.

If Dawson had to back and fill in his message to meet the Mormons on ground of common agreement in regard to local sovereignty, he had no problems at all in regard to slavery and the causes of the Civil War. On that question he and the Mormons, or at least their leader Brigham Young, had long been in substantial agreement. Dawson's message, in its "purpose to take" not "a partizan, but a dispassionate and patriotic view of our national troubles," stated "that neither the Northern people nor the Southern people are wholly free from blame for the great evil that has come upon the nation." The real problem was the "atmosphere of passion" created by "a fanatical abolition party in the North" and "the people of the South, sensitive, hot blooded, impulsive, and fond of rule"—an atmosphere in which discussions of political questions led not to patriotic compromise after the example of the Founding Fathers but to conflict and civil war. Brigham Young was in substantial agreement with Dawson's view of the causes of the Civil War. In a sermon delivered in March, 1863, Young stated that the "rank, rabid abolitionists, whom I call blackhearted Republicans, have set the whole national fabric on fire . . . I am not an abolitionist, neither am I a pro-slavery man . . ." In 1859 Young had granted an interview to Horace Greeley's New York *Tribune* which

showed a spirit of practical compromise on sectional issues despite one seeming pro-slavery dictate of Mormon theology:

H.G. - What is the position of your church in respect to slavery?

B.Y. - We consider it of divine institution, and not to be abolished until the curse pronounced on Ham shall have been removed from his descendants.

H.G. - Are any slaves now held in this territory?

B.Y. - They are.

H.G. - Do your territorial laws uphold slavery?

B.Y. - Those laws are permitted—you can read for yourself. If slaves are brought here by those who owned them in the states, we do not favor their escape from the service of those owners.

H.G. - Am I to infer that Utah, if admitted as a member of the Federal Union, would be a slave state?

B.Y. - No; she will be a free state. Slavery here would prove useless and unprofitable. I regard it generally as a curse to the masters. I myself hire many laborers, and pay them fair wages; I could not afford to own them . . . Utah is not adapted to slave-labor.

Dawson's message was not entirely a matter of concessions to his Mormon audience. One key passage, which surely is one of the particulars to which the *Deseret News* did not assent, left a considerable loophole in the meaning of territorial sovereignty:

It is, however, to be observed that as under the name of liberty many unblushing crimes have been committed, so under the doctrine of the sovereignty of the people of a State or Territory, excesses may be attempted which were never contemplated by the framers of the Constitution of the United States, to be guarded against and destructive of the great ends of government; hence, under such circumstances it should be the duty of Congress to act *pro re nata* more with reference to the equity of the case than to the question of the legality or constitutionality of the power to be exercised, a course which will be found indispensable to the maintenance of internal peace, concord and justice, each of which is an element of Union.

In this one passage of an otherwise conciliatory address, Dawson invoked a sort of higher or natural law doctrine that imperilled the "peculiar institution" of the Mormons in Utah. Mormons surely knew that there was a considerable risk that the United States Congress would find polygamy a violation of natural law, and Dawson's doctrine would mean that they could not protect their peculiar institution whatever the legality or constitutionality of local popular sovereignty.

#### Dawson and Utah

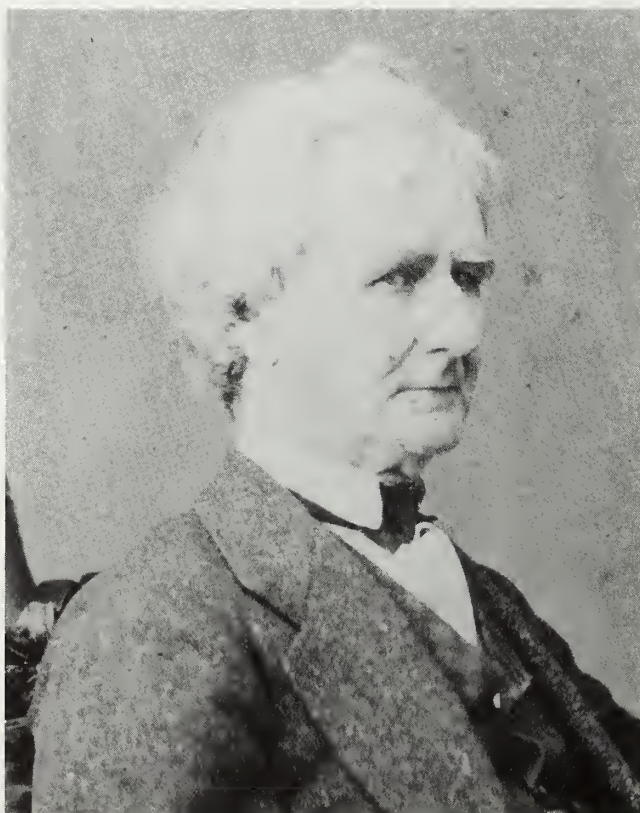
Yet it cannot be said that Dawson was mouthing about constitutional compromises while secretly intending to undermine his constituents in regard to the central question, polygamy. While en route to Utah and during his residence there, Dawson sent a number of letters back to his Fort Wayne newspaper for publication. These letters consisted of descriptive accounts of his travels and observations. The most interesting one appeared in *Dawson's Weekly Times and Union* (Fort Wayne) on January 8, 1862, although it was written on December 16, 1861, just two days after Dawson sent his message to Abraham Lincoln. Dawson described the local institutions and made, in general, extremely conciliatory remarks about polygamy, declaring that "our preconceived notions are changed with regard to its producing jealousy, strife and hatred." In a remarkably dispassionate description, Dawson wrote, "It is proper, however, to say that the second and additional marriages, or more properly 'the sealing' make a union regarded as perfectly virtuous and honorable . . ." Finally, in a passage that must have shocked Fort Wayne's Republicans, Dawson added this observation: "The people are industrious, and if there be signs of as much sensuality as I saw every day of my living in Fort Wayne, I have not seen the first one here, nor do I know where to observe such. Indeed purity is strictly inculcated, and any departure is severely reprobated." Dawson was, however, careful to leave the impression that he was being as politic as he could and that he was not at liberty to express his sincere opinions in all matters: "However, even handed and substantial justice demands of me to say that the system *has* its evils, which it

would ill become me to allude to, as the Executive of the Territory . . ." Before his firsthand observations of Utah had apparently changed his mind, one of Dawson's letters to his newspaper had indicated a rather different view of the Territory and its inhabitants. Commenting on the armies he had seen around Washington, D.C., Dawson said,

I have but little more to add except to say that after our army shall have done its great good . . . a serious question will come up as to the disposition of them so as to leave the government clear of the dangers of some ambitious men who, long accustomed to exercise authority and draw pay from the Federal Treasury, may not relish retirement to the industrial walks of life. I could wish that twenty thousand of them shall then be marched into the Territory of Utah and be allowed to select as a bounty eighty acres of land each on condition that after their discharge they should each settle and improve it. In this way Federal authority there would command respect—and in this way immigration be invited by which the vast resources of that valuable territory could be developed.

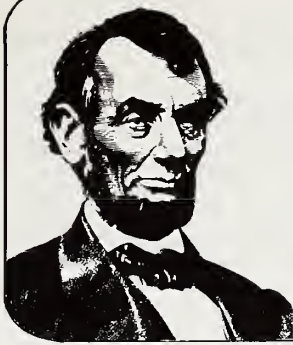
Of course, Dawson's plan would mean a large foothold for non-Mormon population in Utah.

The Dawson-Mormon honeymoon lasted only five more days after his letter of December 16. On December 21, 1862, Governor Dawson vetoed a bill calling for the election of delegates to a convention to draft a constitution for statehood. The Mormons wanted to get into the Union as soon as possible because the United States Constitution would then prevent Congress from regulating the state's internal institutions. Dawson's veto claimed that the date set for choosing delegates was too close to allow time to tell all the people throughout the Territory and to allow time for Congressional approval of the act. Andrew Love Neff's *History of Utah, 1847 to 1869* (Salt Lake City: Deseret News Press, 1940) claims that the "flimsy and technical reason assigned [for Dawson's veto] was that the initiative in such matters belonged to Congress." Neff's description of Dawson's reasons is not entirely accurate, and it may be too strong to describe his reasons as "technical and flimsy." However, it is true that they did not embody Dawson's major objection to the statehood bill. (*To be continued*)



From the Lincoln National Life Foundation

FIGURE 4. Simon Cameron



# Lincoln Lore

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Number 1645

## PRESIDENT LINCOLN, POLYGAMY, AND THE CIVIL WAR: THE CASE OF DAWSON AND DESERET (Cont.)

In fact, Dawson himself explained to President Abraham Lincoln in a letter on January 13, 1862, that "a further & a better reason [for vetoing was] not assigned—the fact that the evident purpose of this Convention was to put in operation a state government & if not admitted into the Union, to completely oust federal authority in this territory—a fact that will transpire ere the federal government is ready to meet it. . . ." On December 23, 1861, an assassination attempt took place in Dawson's very presence when a gunman fired five pistol shots at a federal judge named Crosby in the streets of Salt Lake City. The *Deseret News* apparently dismissed the incident by saying that Crosby hired a boy for half a dollar to fire at him. On December 24, 1861, Governor Dawson issued a proclamation offering a reward for the would-be assassin. The *Deseret News* carried both the veto message and the reward proclamation on December 25, 1861. Six days later Dawson left Salt Lake City never to return.

Why he left has not been satisfactorily explained. Dawson himself tried to explain it to Lincoln this way on January 13, 1862:

On leaving Great Salt Lake City on the 31st ult en route for home & Washington City I was followed by a band of Danites and twelve miles out, wantonly assaulted & beaten—the *real* cause of which may be found in the address of a committee prepared & delivered to a mass meeting in Salt Lake City called to take steps preparatory to calling a Convention for forming a Constitution & State Government.

The hostility of the people of the Utah Territory towards the federal authorities in general and towards Governor Dawson after his veto in particular may help explain the physical assault on Dawson's person, but it does not explain why he was "en route for home & Washington City" on December 31.

The customary explanation for Dawson's departure from Salt Lake City for Fort Bridger (from which point he addressed his letter of explanation to President Lincoln) is even more sensational. The telegraph carried news of it to Chi-

cago and Cincinnati newspapers late in January, 1862. Dawson's Fort Wayne newspaper first described it as "a difficulty . . . between Governor Dawson and some persons at Salt Lake City." Later the same paper printed the allegation that Dawson had "offered insult to a lady of the territory"; this, said the paper, was an "excuse" to get him out of the Territory.

In fact, no historian since has questioned the story. Carman and Luthin say Dawson departed when his "unwelcome gallantries toward a lady of the city became known." Mormon apologists like Matthias F. Cowley draw the incident in extreme terms:

John W. Dawson arrived early in December (1861) and delivered his message to the Legislature. He began a course of shameful debauchery. He insulted women until the widow of Thomas Williams drove him from her house with a fire shovel because of his vulgar abuse of her. On the last day of the year he left in the stage coach for the East, a known libertine and debauchee.

J.H. Beadle, whose book, *Mysteries and Crimes of Mormonism*, is obviously critical of the Mormons, states that the Governor was involved in a discreditable affair "and in consequence of many threats precipitately fled the Territory." Neff accepts the judgment on the basis of the fact that both sympathetic and critical students of Mormon history agree on Dawson's personal (rather than political) reason for flight. Ray C. Colton's *Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah* (Norman: University of Oklahoma Press, 1959), one of the more recent accounts, agrees that Dawson left "because of making indecent proposals to Mormon women" and states that he was flogged by ruffians led by a relative of one of the women. Three of the attackers were allegedly killed trying to escape, and the rest were tried and punished by law. Colton's account seems to be based on Orson F. Whitney's *History of Utah* (Salt Lake City, 1893). Although



From the Lincoln National Life Foundation

FIGURE 1. Brigham Young (from Orson Whitney's *History of Utah* [Salt Lake City, 1892])

at the time of publication not all of these sources could be located and examined, those available did not cite any court records, quote testimony from the trials, or cite newspaper accounts of the trials of the "ruffians," though surely any of these sources would have had some direct evidence about the reason for the assault. One source did cite the name of a person involved in the crime, and another alluded to the punishments meted out. These must surely have come from sources as close to the original event as newspapers, but, again, the citations were not available in the sources consulted before this article was written.

Curiously, Fort Wayne's Democratic newspaper revealed more Hoosier solidarity than it did partisan animosity. As late as February 8, 1862, at least two weeks after news of the assault and the reasons alleged by Mormon authorities had reached Chicago and Cincinnati newspapers, the *Fort Wayne Weekly Sentinel* stated that the *Deseret News* said that Dawson had been "beat in a cowardly manner, by a gang of thieves, who also robbed the other passengers"; this was hardly behavior completely consistent with the view that outraged honor led to the assault on Dawson. Nor did the *Sentinel* see fit in the future to hound the competing editor about the story. Surviving issues of the paper for this period are scattered (the next one following the February 8 issue is the March 1 issue), but a check of the papers through the spring of 1862 seems to indicate an agreement not to agitate Dawson's wounds.

Dawson's *Weekly Times and Union*, of course, assayed to defend its publisher and one-time editor. The article on January 29, 1862, was entitled "Explanation" and asserted that Dawson's "trouble," if there was any, came from Mormon political opposition to his veto. A week later, the paper's article, "Justice to the Absent" insisted that Dawson's departure was not hasty and that, in fact,

When he left home [Fort Wayne] it was his intention to return by the first of February, which fact was known to his friends and very generally understood in this community. That his own private business required his presence here about that time, and that it was important he should return is well known to us.

The article promised an explanation when Dawson himself returned to clear the air. Fortunately, the files of Dawson's paper for this period are better than those for the Democratic paper. Dawson arrived in the city on February 13 (according to his daily paper), but there is no mention of him (and no explanation for the events in Utah) in the issues of February 19, 26, March 5, 19, 26, April 2, etc. A letter from Dawson about another matter appeared in August, and an article on November 5, 1862, said that "Mr. Dawson by reason of ill health has been for a long time unable to devote his personal attention to" the newspaper. If his health failed it was a surprise, for his daily paper reported his return by saying that he was "looking much better than we expected" and that "He will be at his post in a few days." Dawson could write a letter on another matter, but he could apparently offer no explanation. Mr. Dawson's case seems even weaker than that of his opponents.

Dawson's defense rested, then, on the assertion that he intended from the start to return to Fort Wayne by February 1, 1862. Incredibly, the newspaper did not bother to print or refer to an item in a previous issue supporting this contention. On November 20, 1861, Dawson's "Editorial Valedictory" appeared in his paper:

Having been commissioned Governor of the Territory of Utah, and having accepted the office, it becomes necessary for me to proceed immediately to my new home. I shall therefore leave here to morrow and though I shall have this paper carried on till the end of the daily volume (1st Feb. next) to morrow ceases my active editorial duties. I shall, however, correspond with the paper until the period of my return, at the time above stated.

Despite Dawson's intention to make Utah his "home," he may well have intended from the start to return to Fort Wayne by the first of February. Would he, however, have left Salt Lake City precisely when he did, December 31, in order to be in Fort Wayne by the first of February? It is hard to determine for sure. Apparently the trip took between two and three weeks. A little over two weeks elapsed between Dawson's "Vale-

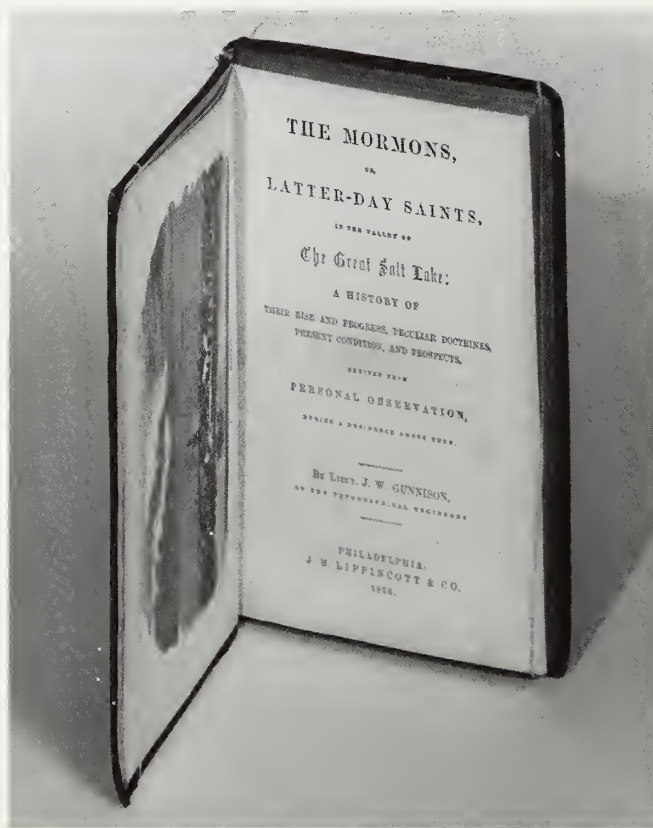
dictory" (November 20) and his appearance in Utah (December 6). A letter dated Utah, December 15, 1861, appeared in Dawson's Fort Wayne newspaper on January 8, 1862. The best guess is that Dawson left a week earlier than he had to in order to reach Fort Wayne by February 1.

I am greatly indebted to the Utah State Archives and Records Service in Salt Lake City for sending copies of their files on John Dawson. Among these materials is a letter from the acting Governor of the Territory, Frank Fuller, written January 9, 1862, answering a legislative committee's request for information about "the sudden, unceremonious, and unlooked for departure" of Dawson from Salt Lake City. Fuller replied with an "extract from a note received by me from that gentleman on the day of his departure." "My health is such," wrote Dawson, "that my return to Indiana for the time being, is imperatively demanded; hence I start this day." Fuller added that Dawson had told him "on the day of his arrival" that he intended "to return to Indiana at the close of the Legislative Session," but Dawson gave no reason for an earlier departure. The legislature was supposed to be in session for forty days. It convened on December 9, and it would have been in session well past the last day of December.

Dawson's note to Fuller about his health is the only reason he ever gave for his departure (he never said that he left Salt Lake City because of political hostility, only that he was beaten after leaving the city because of that hostility). He never explained his departure to President Abraham Lincoln or to the readers of his Fort Wayne newspaper. Nor did he ever attempt to counter in his newspaper the Mormons' allegations about his personal character. Dawson's silence is ominous.

#### Lincoln and Dawson's Case

Further clues to the truth of Dawson's story lie in the weak response he got from the Lincoln administration. Dawson's name is not to be found in the nine volumes of Lincoln's collected works. Dawson's letters in the Robert Todd Lincoln



From the Lincoln National Life Foundation  
**FIGURE 2.** President Lincoln borrowed this book from the Library of Congress about the time Dawson left for Utah.

Collection in the Library of Congress carry no endorsements on them. President Lincoln did not come to the rescue of his beleaguered territorial governor. Aside from the strong possibility that the sordid circumstances of his withdrawal precluded reinstatement, direct aid, or even a private vote of confidence, why did Lincoln ignore Dawson's plight?

For one thing, Dawson had not been very politic in his contacts with Lincoln. The President was used to having all kinds of unsought-for advice pressed upon him, but he could hardly have looked favorably upon Dawson's hasty jettisoning of Republican principle, and particularly of the principle on which Lincoln staked his career and on which he had depended to keep the Republicans from trying to woo his arch-rival Douglas in the late 1850's. Nor was it flattering to see Dawson curry favor with his own difficult constituency by pointing to inconsistencies in Republican policy in regard to the admission of new territories to the Union.

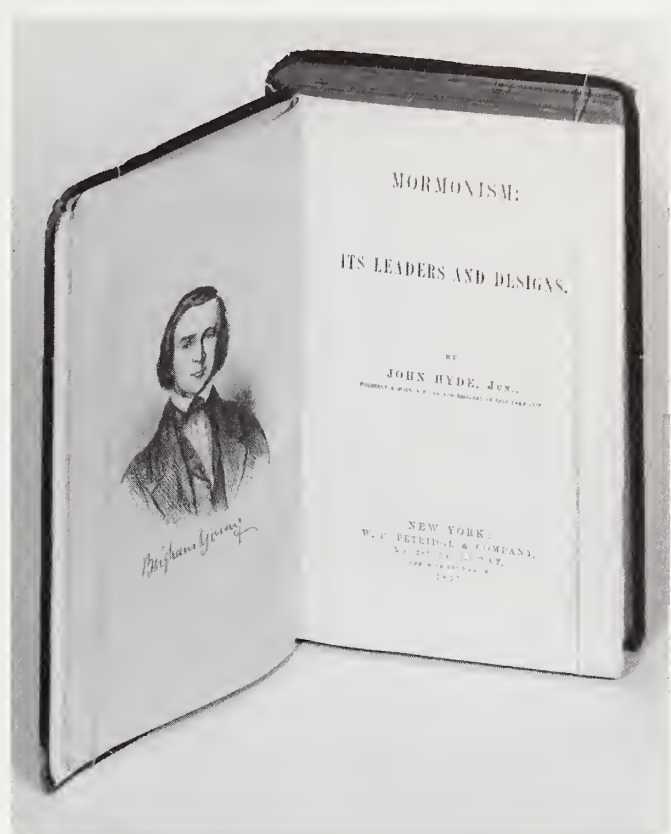
More important, although admittedly this is the judgment of hindsight, Dawson's advice was bad. His dire reports of Utah's disloyalty were not proved by the facts. In a letter written to Washington from Fort Bridger four days before his letter telling the authorities of his beating (but, curiously, written nine days *after* the beating despite his failure to mention it), Dawson urged the President to "take heed of affairs here, for everything is perilous, & growing daily worse." He tried to counteract other reports from federal authorities that the Territory was safe and loyal. "The report sent over the wires by Secretary [of the Territory, Frank] Fuller," wrote Dawson, "of the loyalty of this people was not warranted by the facts. . . ." Four days later Dawson scoffed, "And then talk about their loyalty[;] why such a thing is mythical—not a day passes but that disloyal sentiments are heard in the streets. . . ." More specifically, he told Lincoln,

The whole purpose of this people is to gain admission into the Union on an equal basis—& then the ulcer *polygamy* will have a sovereign protection which, while no other State nor this federal government can control, will be infecting every part of contiguous territory. . . . It must not be admitted till the foul ulcer is cured by a predominance of gentile [non-Mormon] population or by federal bayonets. . . .

Actually, Dawson's letter made him, rather than the Mormons, the enemy of the Union and the Constitution. This was a situation faced by opponents of the admission of Utah (at the time and for a long time to come, a heavy majority of the United States Congress) which the Mormons hoped to exploit. As one advocate of Utah statehood put it in the midst of the secession crisis of December, 1860, "I tell them [Congress] that we show our loyalty by trying to get in while others are trying to get out, notwithstanding our grievances, which are far greater than those of any of the Seceding States. . . ." This quotation seems to capture perfectly the spirit of Utah political opinion and, of course, indicates that Dawson was perhaps correct in regard to the *spirit* of Mormon opinion. Utah did want admission, not as a demonstration of loyalty to the cause of the government in Washington, but as a means to the cessation of federal control and (especially) federal threat to Utah's peculiar institution.

By July, 1862, this threat had become a reality because Congress passed (nearly unanimously), and Abraham Lincoln signed, a bill outlawing polygamy in the territories owned by the United States. Surely the Mormons could see the handwriting on the wall in 1861. The Republican party, which had rated polygamy on a par with slavery in 1856, had come to power in 1861. Nevertheless, the *spirit* of Utah's Unionism probably did not matter much to the beleaguered Republican President in 1861. Any Unionism must have looked good, and Lincoln certainly did not need any new fronts on which to fight his war. As long as Utah was maintaining loyalty, for whatever reason, communications with California were safe, and Lincoln did not see any reason to stir up trouble. As a practical matter of wartime fact, the Mormons got the better of the argument.

They did not, however, win the argument; that is, they did not gain entry into the Union. Doubtless Republican animosity towards Mormonism would have kept them out in any event, but the Congress had a telling argument anyhow. Utah's population was about 40,000. Other states had gained



From the Lincoln National Life Foundation

FIGURE 3. President Lincoln borrowed this book from the Library of Congress about the time Dawson left for Utah.

admission with as sparse a population, but only when the apportionment ratio for representation in Congress had been much lower. By 1860 each representative stood for 126,903 citizens, and Utah, or Deseret as the Mormons wished their state to be called, was nowhere near having enough population to warrant representation in Washington.

Abraham Lincoln himself probably was not terribly favorably disposed towards Mormonism. Andrew Love Neff's *History of Utah, 1847 to 1869* has written the best treatment to date of Lincoln's views on the troublesome Territory. Neff points out that Lincoln, in a debate with Douglas in Springfield on June 26, 1857, baited his Democratic opponent by asking him, "If the people of Utah should peacefully form a state constitution tolerating polygamy, will the Democracy admit them into the Union?" Douglas, whom the Mormons liked for the doctrine he sponsored (popular sovereignty in the territories) and perhaps for the enemies he made (the Republicans), was quick to get on record as regarding polygamy as "a loathsome ulcer of the body politic." Neff also quoted a letter signed "Rebecca" in the *Sangamo Journal* of August 19, 1842, which referred to the Mormons as "Democratic pets." Recent authorities, however, say that Lincoln did not write this "Rebecca" letter. Later, Lincoln, a President who almost never used the veto power, signed the bill outlawing polygamy in the territories. Otherwise, his personal feelings about Deseret are unknown.

His practical political treatment of the Territory, however, seems clear from Neff's study, and it was not the policy of "bayonets" which Dawson urged on the President in January of 1862. Lincoln's policy was conciliatory and moderate. Lincoln's later replacements of territorial officials after Dawson's departure are a case in point. Stephen S. Harding of Indiana was chosen to replace Dawson, revealing the continuing influence of the Hoosier State on appointments within the Department of the Interior, which was headed by Hoosier John P. Usher after Caleb Smith's departure from the cabinet

early in 1863. After a subsequent conflict between Harding and other federal officials, on the one hand, and Utah's residents, on the other, Lincoln's appointments showed a particularly conciliatory policy. James Duane Doty, who had been Indian Superintendent in the Territory previously and who had therefore been a Utah resident for some time, became Governor. Amos Reed became Secretary. According to Neff, Reed's father, a lawyer in New York, had defended Joseph Smith, the founder of Mormonism, in a famous legal case. Lincoln also appointed two Mormons to federal jobs; Jesse C. Little became United States Assessor, and Robert T. Burton became Collector of Internal Revenue for the Utah district. Such appointments met the major (openly stated) objection of the Mormons to territorial status. The resolutions of the mass meeting in Salt Lake City on January 6, 1862 (to which John Dawson had so strenuously objected), had complained of "the rigid policy of the President of the United States [in] persisting in appointing no resident or citizens of the Territory to any of the offices provided in its organic law, but continually selecting them from distant States,—men who have no interest in our welfare, in the prosperity of our Territory, who never identify their interest with us, who never build a house, a fence, or make any kind of improvement, but always rent houses and offices to serve out their time, receive their salaries, and then return to their homes in those distant states from whence they came, to use the means they thus acquired by making their homes and improvements away in some distant country." As early as April 28, 1862, again according to Neff's study (though the letter does not appear in Lincoln's collected works), Abraham Lincoln acknowledged political reality in the Territory by addressing an order to muster a company of volunteer cavalry directly to Brigham Young, President of the Mormon Church, and not to the federal authority in the Territory. In truth, President Lincoln followed Dawson's policy as it had been enunciated by Dawson prior to late December, 1861. In a letter addressed to his Fort Wayne newspaper and dated December 15, 1861, Governor Dawson outlined this practical policy for the federal government in regard to Utah:

... the immense advantage which this half way house between the Missouri river and the Pacific ocean has been, in feeding overland immigration and aiding in the settlement of California, and the value it is now to the great mail and telegraph enterprises, make one feel, with all the alleged faults of this people, that they should be borne with in a spirit of toleration becoming a great and enlightened nation, and be fostered so long as they keep faith with the Constitution and the laws. Of these things no man who has not been among them here is competent to rightly speak and judge.

Another possible reason for the coolness of the Lincoln administration to the appeals of Governor Dawson lay in that ever-present determinant of action, politics. When Dawson sent his message before the Utah legislature to his Fort Wayne newspaper to be printed there, his covering letter mentioned his having heard "that a few of my enemies are straining a point to try to get my appointment rejected by the Senate of the United States—on account of some of my anti-abolition articles. . . ." Dawson knew of some such charges as early as December 12, 1861. On January 22, 1862, his Fort Wayne newspaper published an article entitled "Envious of His Success." The article explained that on "Friday last," an article entitled "The Governor of Utah," appearing "over the imposing *nom de plume* of 'VERITAS'" in the *Indianapolis Journal*, had attacked Dawson and urged the rejection by the United States Senate of his appointment as territorial governor. The gist of the letter, according to Dawson's editors, "seems to be, an attempt to prove that Governor Dawson is not a thorough-going, straight-out, ultra Republican, after the 'strictest sect of the Pharisees.'" Harding, Dawson's replacement, was noted for anti-slavery views.

The combination of forces and circumstances was enough to vanquish Dawson from the field of power within the Lincoln administration. His response was speedy. The issue of *Dawson's Weekly Times and Union* for March 19, 1862, carried this on its masthead:

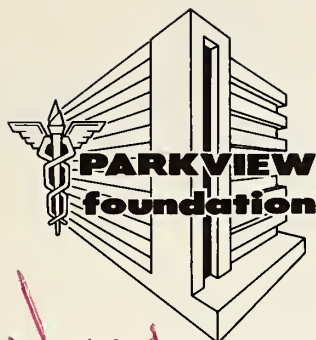
For President in 1864,  
General George B. McClellan  
of Ohio.  
For Vice President,  
Gov. Wm. Sprague,  
of Rhode Island

This abrupt change in a previously pro-Lincoln newspaper occurred over two years before the presidential election would take place and just a little over a month after Dawson's return to Fort Wayne. The timing is significant for another reason. Dawson's switch came a full six months before Lincoln announced his Preliminary Emancipation Proclamation to the American public. Dawson's anti-abolition sentiments could hardly have smelled this development so far in advance. Winfred Harbison's "Lincoln and Indiana Republicans, 1861-1862" (*Indiana Magazine of History*, XXXIII [September, 1937]) cites *Dawson's Weekly Times and Union* as the first Indiana newspaper to defect from its previous support of the Republicans. Although Harbison says that Dawson "was one of the few conservative 'Unionists' who already felt that the President had gone too far on the emancipation question," it seems doubtful that any overt move by Lincoln elicited the response. It seems more likely that Dawson resented the opposition of the abolition faction in the Indiana Republican party to his quest for political office (or political vindication) from the Republican administration in Washington.

The case of Dawson and Deseret is not closed by this article; hopefully, it will be reopened. It is a significant chapter in the history of the Lincoln administration. A full explanation of the reasons for Dawson's sudden departure from Utah would illuminate the nature of Lincoln's views of Mormonism as well as the character of Lincoln's relationship to the Republican party in Indiana, always an important swing state in Republican political calculations. For these reasons and because of the sensational nature of the case itself, it deserves more attention than it has received to date.



From the Lincoln National Life Foundation  
FIGURE 4. John P. Usher



# COMPASS

THE FINANCIAL GUIDE FOR FRIENDS OF

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WINTER, 1976-77

### ABOUT ABE LINCOLN AND TAX EQUITY

Many people believe that President Lincoln signed a bill outlawing polygamy because he believed it to be wrong. He approved the legislation, however, to bring about tax equity.

On the very day President Lincoln signed the polygamy bill, he approved legislation giving \$600 personal exemptions to taxpayers and their wives. If a man had more than one wife, reasoned President Lincoln, he would have a tax advantage over his monogamous neighbor. Thus, polygamy was outlawed.



THE BETTMANN ARCHIVE

### TAX REFORM RIDES AGAIN—THE 1976 TAX REFORM ACT

Congress recently enacted the most sweeping estate, gift and income tax law changes in decades. All estate plans should be reviewed as soon as possible. Many plans will require modification.

Some individuals will find that their wills and estate plans can be simplified. Many estates will no longer be subject to the federal estate tax because of an increased estate tax exemption (in the form of a credit) and a liberalized marital deduction. The wealthy will find that the new tax law increases the tax cost of passing property to heirs—both during life and at death.

The new tax law—over 1,000 pages—is one of the most complicated yet. The major estate and gift tax changes are discussed below. Many of the income tax changes will be discussed in future issues. Consult your own advisors on how the general rules apply to your unique situation. You and your advisors will want to keep effective dates and "grandfather" provisions in mind.

### NEW ESTATE AND GIFT TAX LAWS

#### Unified Rate Schedule

**Current law—the federal gift tax.** After a \$30,000 lifetime exemption, a \$3,000 annual per donee exclusion and a 50% marital deduction, gifts are subject to a progressive federal gift tax at rates ranging from 2¼% to 57¾%. Qualified charitable gifts are exempt from the gift tax.

**Current law—the federal estate tax.** The federal government (after deductions and a \$60,000 exemption) taxes wealth passing to others at death. The progressive estate tax rates range from 3% to 77%. An unlimited estate tax charitable deduction is allowed for charitable gifts.

**New law.** A single unified rate schedule is established for estate and gift taxes. The rates are progressive on the basis of cumulative lifetime and deathtime transfers. For 1977 and 1978, the lowest rate (after taking into account the

Apocryphal  
But Logical

It is NOT  
NEW to you,  
BUT INTERESTING  
PLACE to find  
LINCOLNIANA!  
Howard

